

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOHN DUNCAN, #180841,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:07cv634-MHT
	)	(WO)
JOHN CUMMINGS,	)	
	)	
Defendant.	)	

**ORDER**

On March 18, 2008 (Doc. # 21), the magistrate judge filed a recommendation in this case to which no timely objections have been filed. Upon an independent and de novo review of the file in this case and upon consideration of the recommendation of the magistrate judge, it is ORDERED and ADJUDGED that the recommendation of the magistrate judge is adopted and that this case is dismissed without prejudice for failure of the plaintiff to prosecute this action properly and to comply with the orders of this court.

It is further ORDERED that costs are taxed against the plaintiff, for which execution may issue.

DONE, this the 22nd day of April, 2008.

/s Myron H. Thompson  
UNITED STATES DISTRICT JUDGE